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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,669	09/25/2003	Hisashi Matsuno	EL0493USNA	8331

23906 7590 09/23/2005

E I DU PONT DE NEMOURS AND COMPANY
LEGAL PATENT RECORDS CENTER
BARLEY MILL PLAZA 25/1128
4417 LANCASTER PIKE
WILMINGTON, DE 19805

EXAMINER

KOPEC, MARK T

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

18

Office Action Summary	Application No.	Applicant(s)	
	10/670,669	MATSUNO ET AL.	
	Examiner	Art Unit	
	Mark Kopec	1751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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Art Unit: 1751

Claims 4-7 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another dependent claim. See MPEP § 608.01(n). Accordingly, the claims 4-7 have not been further treated on the merits.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as anticipated by Asada et al (5,645,765).

Asada discloses nontoxic lead-free conductive paste comprising (a) a lead-free glass frit having a crystallization temperature of 700.degree.-870.degree. C. and consisting essentially of, by weight %, 20-38% of SiO.sub.2, 5.5-13.5% of B.sub.2 O.sub.3, 8-15.5% of Al.sub.2 O.sub.3, 4-19% of CaO, 20-29% of ZnO, 0-6% of ZrO.sub.2, 4-16% of TiO.sub.2 and 0.1-3.8% of MoO.sub.3 ; (b) finely divided particles of electrically conductive material; (c) at least one inorganic additive selected from the group consisting of bismuth oxide, zinc oxide-containing containing oxide material, manganese oxide, copper

Art Unit: 1751

oxide and molybdenum oxide; and (d) an organic medium. The nontoxic conductive paste is free from environmental and health problems and results in conductors having excellent solderability, solder leach resistance, adhesion strength and electrical properties, both on ceramic substrates such as alumina or on dielectric bodies (Abstract). Non-noble metals such as Cu, and Ni, or mixtures or alloys thereof also can be used as the electrically conductive material singly or in combination thereof. The amount of the electrically conductive material will usually be 70-99% by weight of the solid component (Col 3, lines 27-39). Molybdenum oxide is added to increase the solderability on alumina, and to prevent the conductors from bleeding-out of glass. A preferred content of molybdenum oxide is 0.2-1.0% by weight of the solid component. If the content of molybdenum oxide exceeds 1.0%, the breakdown voltage of the multilayered circuit is lowered. All of inorganic additives are added in a finely divided form to the paste (Col 4, lines 13-21). Any one of organic media heretofore used for thick film pastes may also be used in the paste of the present invention and such examples include alcohols, esters, ethers, terpenes, and solutions of various resins. The amount of the organic medium will usually be 10-40% by weight on a paste basis (Col 4, lines 24-29).

Art Unit: 1751

The reference is anticipatory.

In view of the foregoing, the above claims have failed to patentably distinguish over the applied art.


The remaining references listed on forms 892 and 1449 have been reviewed by the examiner and are considered to be cumulative to or less material than the prior art references relied upon in the rejection above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Kopec whose telephone number is (571) 272-1319. The examiner can normally be reached on Monday - Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Mark Kopec
Primary Examiner
Art Unit 1751

MK
September 16, 2005